

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Owen Hobbs,
Petitioner

vs

Case No. 1:01cv720
(Spiegel, J.; Perelman, M.J.)

Harry K. Russell,
Respondent

MEMORANDUM OPINION AND ORDER

Petitioner, an inmate in state custody at the Lebanon Correctional Institution in Lebanon, Ohio, has filed through counsel a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his 2000 murder conviction. (*See* Doc. 1).

It has come to this Court's attention that by reason of the fact that Mr. Stuart W. Harris left the Ohio Attorney General's Office the Attorney General has not received, and therefore could not respond to Orders entered January 8 and February 23, 2004, copies of which are appended. It has also come to this Court's attention that upon Mr. Harris's departure this file was not assigned to another Assistant Attorney General.

This being so, this Court expects that the Attorney General will promptly assign a member of his staff as counsel for respondent, and will extend respondent's time to comply with the outstanding Orders to May 21, 2004.¹

¹This date will be extended only upon a showing of good cause and extenuating circumstances.

The Clerk of the Court is directed to send a copy of this Order to Scott Criss, Corrections Litigation Division, 140 E. Town St., 14th Floor, Columbus, Ohio 43215.

IT IS SO ORDERED.

Date: April 26, 2004

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s/David S. Perelman

David S. Perelman

United States Magistrate Judge